



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vimla Band  
Serial No. : 10/021,368  
Filed : December 12, 2001  
Title : NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND METHODS

Art Unit : 1652  
Examiner : Nashaat T. Nashed

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL


Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated September 22, 2004, finally rejecting claims 69-75 and 82-95.

A petition for an extension of time under 37 CFR §1.136 to extend the time for filing this Notice to and including February 22, 2005 is enclosed. Please note applicants previously filed a Reply to the Office action dated September 22, 2004 and a Petition for a one-month extension of time. Therefore, a check in the amount of only \$165 is enclosed.

A check in the amount of \$250 for the appeal fee is also enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 22, 2005

  
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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February 22, 2005  
Date of Deposit

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Signature

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Typed or Printed Name of Person Signing Certificate